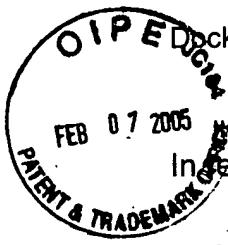


JFW



Docket: 71622(US02)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Cook

Serial No.: 10/788,795

Group Art Unit: 1761

Filed: February 27, 2004

Examiner:

For: BEVERAGES CONTAINING WATER-SOLUBLE VITAMIN E

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97(b)

In accordance with 37 CFR 1.56, the documents listed on the attached Information Disclosure Statement by Applicant are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed.

The Information Disclosure Statement submitted herewith is being filed to the knowledge of the undersigned before the mailing date of a first Office Action on the merits.

Respectfully submitted,

Michael J. Blake  
Registration No. 37,096

  
Feb 2, 2005  
Date

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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper(s) referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Jo Ann Elam  
February 2, 2005  
Date

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|                          |   |    |   |                        |              |
|--------------------------|---|----|---|------------------------|--------------|
| Substitute for form 1449 |   |    |   | Attorney Docket Number | 71622 (US02) |
|                          |   |    |   | First Named Inventor   | Cook         |
| <b>COMPLETE IF KNOWN</b> |   |    |   |                        |              |
| Application Number       |   |    |   | 10/788,795             |              |
| Filing Date              |   |    |   | February 27, 2004      |              |
| Group Art Unit           |   |    |   | 1761                   |              |
| Sheet                    | 1 | of | 3 | Examiner Name          |              |

| <b>U.S. PATENT DOCUMENTS</b> |                       |                      |                                      |   |   |
|------------------------------|-----------------------|----------------------|--------------------------------------|---|---|
| Examiner Initials*           | Cite No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document<br>MM-DD-YYYY |
|                              |                       | Number               | Kind Code <sup>2</sup><br>(if known) |   |   |
|                              |                       | 4,737,367            |                                      | Langer et al                                    | 04-12-88  |
|                              |                       |                      |                                      |   |   |
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| <b>FOREIGN PATENT DOCUMENTS</b> |                       |                         |                     |                                      |   |          |
|---------------------------------|-----------------------|-------------------------|---------------------|--------------------------------------|---|----------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Date of Publication of Cited Document<br>MM-DD-YYYY |          |
|                                 |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |   |          |
|                                 |                       | CA                      | 2,088,927           |                                      | Ciba-Geigy Canada Ltd.                              | 08-12-94 |
|                                 |                       | WO                      | 98/15195            |                                      | F. Hoffmann-LA Roche AG                             | 04-16-98 |
|                                 |                       | WO                      | 02/076970           |                                      | Sonus Pharmaceutical, Inc.                          | 10-03-02 |

| <b>OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS</b> |                       |   |  |  |  |
|--|-----------------------|---|--|--|--|
| Examiner Initials*                                       | Cite No. <sup>1</sup> | Include name of the author(in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published. |  |  |  |
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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.